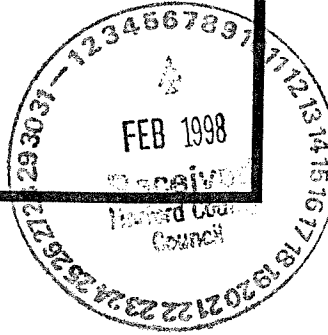


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only



Case No. 078

Date Filed 1-30-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$830⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Stephen E. Quick and LeRoy Smith Phone Number Please call Attorney

Address 2719-A Pulaski Highway Edgewood Maryland 21040
Street Number Street State Zip Code

Property Owner Same Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative Michael E. Leaf & Kevin J. Mahoney Phone Number 410-838-2333

Address 112 South Main Street, Suite 102, Bel Air, Maryland 21014
Street Number Street State Zip Code

Hearing: 4/20/98

Land Description

Address and Location of Property (with nearest intersecting road) 2511, 2513, 2515, 2517 Pulaski Highway

U.S. Route 40, Shore Shopping, Edgewood, Maryland 21040

Subdivision _____ Lot Number _____ Acreage/Lot Size 38.93 Election District 1

Existing Zoning CI/B-3 Proposed Zoning B-3 Acreage to be Rezoned 32.83

Tax Map No. 66 Grid No. 1A Parcel 533, lots 1-4, 271 Deed Reference 950/542

Critical Area Designation LDA (Grandfathered for IDA standards) Land Use Plan Designation MI

Present Use and ALL improvements: Vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Commercial

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No

If yes, describe: _____

Estimated Time Requested to Present Case: 1 hour

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

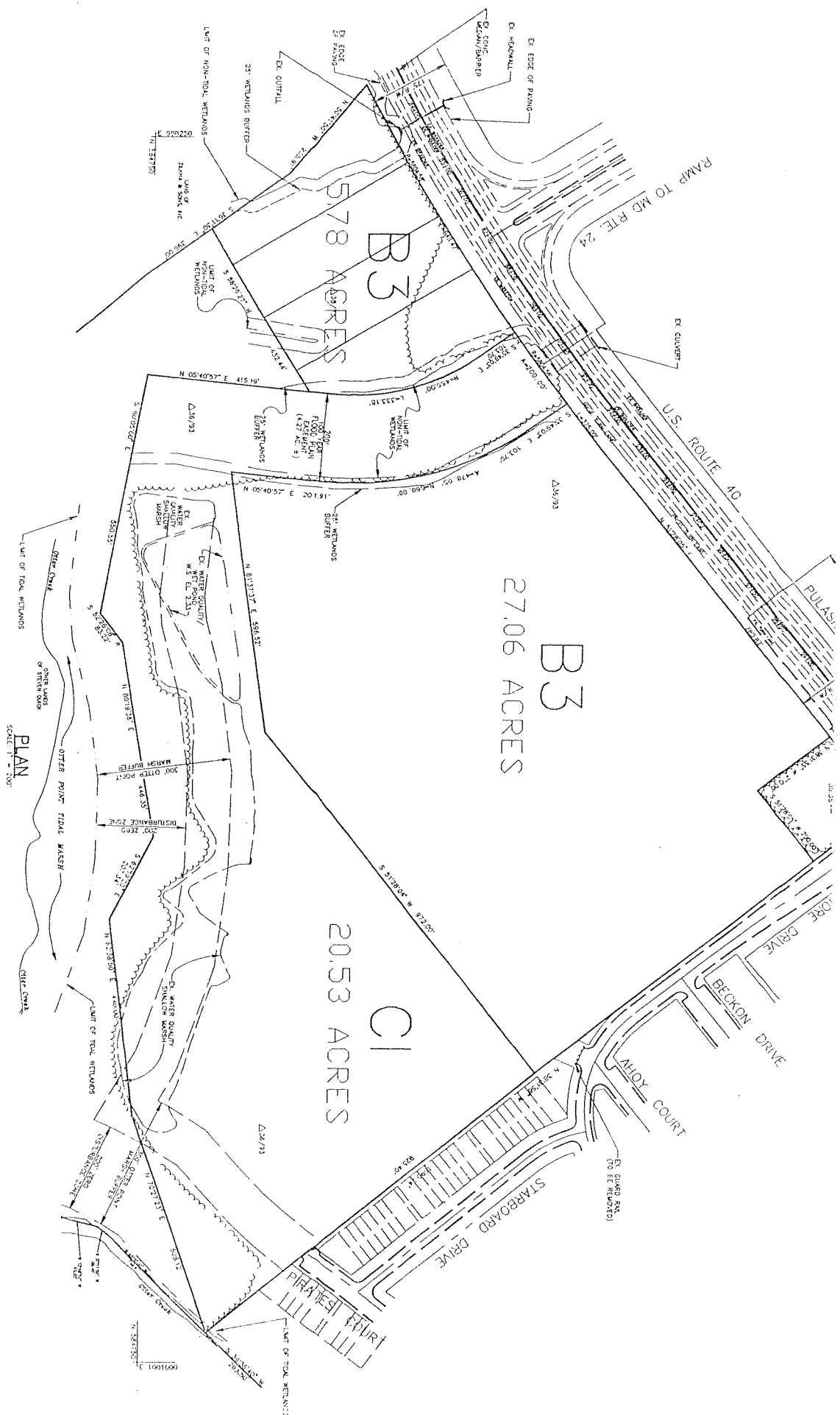
(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).



REVISIONS

TESTAMENT

EXHIBIT TO ACC
REZONING RE

**ATTACHMENT A
TO PETITION FOR ZONING RECLASSIFICATION
STEPHEN QUICK AND LEROY SMITH, PETITIONERS**

The Petition for Zoning Reclassification, requests the following information. Petitioners' submission is as follows:

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

Petitioner: See attachment A-1, List of Property Owners Within 500 Feet.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and, if so, the nature of the mistake and facts relied upon to support this allegation.

Petitioner: The property was originally zoned B-3 in 1972 and was rezoned during the 1982 Comprehensive Zoning to CI. The property owners were unaware of this rezoning and would have opposed it if they had known. The subject properties are located on a main road which is the focal point of commercial/retail development in this area of the County. The proposed zoning is consistent with the Master Land Use Plan designation for the property.

(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and, if so, a precise description of such alleged substantial change.

Petitioner: No such allegation is made.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

Petitioner: The property is shown as MI/CI on the Master Land Use Plan. Based on the proposed scale of development, the B-3 zoning classification is consistent with the Master Plan designation.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

Petitioner: See Attachment A-2 (Site Plan) and A-3 (Subdivision Plat).

(2) Proposed nature and distribution of land uses, not including engineering drawings.

Petitioner: See Attachment A-2 (Site Plan) and A-3 (Subdivision Plat).

(3) Neighborhood (as defined by the Applicant).

Petitioner: See Attachment A-4 (Neighborhood Map).

(4) All surrounding zoning.

Petitioner: See Attachment A-5 (Zoning Map).

(5) Proposed public or private capital improvements.

Petitioner: None.

(e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.

Petitioner: None.

(f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.

Petitioner: See Attachment A-2 (Site Plan) and A-3 (Subdivision Plat).

(g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.

Petitioner: See Attachments A-2 (Site Plan), A-3 (Subdivision Plat), A-6 (Deed) and Attachment A-7 (Proposed Zoning).

(h) Private restrictions or covenants, if any, applicable to subject parcel.

Petitioner: None.

(I) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.

Petitioner: None.

(j) Availability of public water and sewer.

Petitioner: Public water and sewer are available to the subject property.



Application for Stephen E. Quick and
LeRoy Smith